

## AFFIDAVIT OF SERVICE BY REGULAR MAIL

[illegible]

I, **Nellya Dym**, being duly sworn, say:  
I am not a party to the within action, am over 18 years of age, and reside in Brooklyn,  
New York.

On May 26, 2004, I served the within:

**NOTICE OF MOTION and AFFIDAVIT OF S. REID KAHN, with Exhibit  
and  
MEMORANDUM OF LAW IN SUPPORT OF DEFENDANTS' MOTION TO DISMISS  
PLAINTIFF'S THIRD AND FOURTH CLAIMS FOR RELIEF**

by delivering true copies hereof, enclosed in post-paid wrappers, in an official depository under the exclusive care and custody of the U.S. Postal Service within New York State, addressed to each of the following:

*Gursky & Partners, LLP*  
Attorneys for Plaintiff  
1350 Broadway, 11<sup>th</sup> Floor  
New York, New York 10018

*Feldman Weistein LLP*  
Attorneys for Defendant Jeffrey Bernstein  
420 Lexington Avenue  
New York, New York 10170

**s/Nellya Dym**  
Nellya Dym

Sworn to before me this  
26<sup>th</sup> day of May, 2004.

Sworn to before me this  
26<sup>th</sup> day of May, 2004.

s/Arthur M. Rosenberg  
*Arthur M. Rosenberg*  
*Notary Public, State of New York*  
*No. 02RO4870146*  
*Qualified in New York County*  
*Commission Expires August 11, 2006*